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Attorneys for Petitioner  
MARKLINK SHIPPING CO., LTD.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARKLINK SHIPPING CO., LTD.,

Petitioner,

-against-

BRIGHT SHIPPING COMPANY LIMITED  
and/also known as BRIGHT OCEAN  
COMPANY LIMITED,

Respondents.

**ECF CASE**

10 Civ. 8452 (WHP)

**DECLARATION OF**  
**KIRK M. LYONS**

KIRK M. LYONS, hereby declares the following, pursuant to 28 U.S.C. § 1746:

1. I am a member of the bar of this Court and a partner with the law firm of Lyons & Flood, LLP, attorneys for petitioner MARKLINK SHIPPING CO., LTD. ("MARKLINK"). I make this Declaration based upon my own personal knowledge, information supplied to me by petitioner, and upon documents that I believe to be true and accurate.

2. I submit this Declaration in support of MARKLINK's Verified Petition to Recognize, Confirm, and Enforce a Foreign Arbitral Award in favor of MARKLINK and against respondents BRIGHT SHIPPING COMPANY LIMITED and/also known as BRIGHT OCEAN COMPANY LIMITED ("BRIGHT").

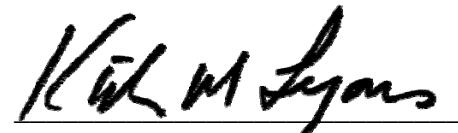
3. On November 9, 2010, my office contacted the New York Department of State, Division of Corporations, via the official Department of State website at <http://www.dos.state.ny.us> and conducted a search for the respondents and the search results

indicated that respondents are actively registered to do business in the State of New York as of November 8, 2010, and have appointed Shaun F. Carroll, Esq., an attorney at Nourse & Bowles, LLP, as their registered agent for service of process. (*See* New York Business Registration Search Results, attached as Exhibit 1.)

4. A true and correct copy of the Declaration of Benjamin John Horn is attached as Exhibit 2.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 9, 2010



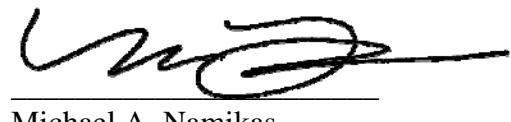
KIRK M. LYONS

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**CERTIFICATE OF SERVICE**

Michael A. Namikas, an attorney duly admitted to practice before this Honorable Court, affirms on this 9<sup>th</sup> day of November 2010, true copies of the foregoing were served, by hand and by US Mail, first-class postage pre-paid, upon:

Shaun F. Carroll, Esq.  
NOURSE & BOWLES, LLP  
One Exchange Place  
55 Broadway  
New York, New York 10006-3030



Michael A. Namikas

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